IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10566 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

UDHANA DARWAJA SACHIN THROUGH PRESIDENT

Versus

REGIONAL TRANSPORT AUTHORITY

Appearance:

MR BC DAVE for Petitioner

Mr.B.Y.Mankad, Ld.AGP for respondents

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 17/10/2000

ORAL JUDGEMENT

Leave to correct name and number at Sl.No.21.

Rule. Mr.B.Y.Mankad, Ld.AGP waives service of rule on behalf of respondents.

2. Mr.B.Y.Mankad, Ld.AGP states that the RTO and the Police Authorities want to implement the Government Resolution dated 28.1.1997 and the RTO, Surat has already issued notices to some of the permit holders. The RTO Surat will decide the question about the change of condition relating to the area of operation, that is, whether the entry of these vehicles in Surat City area may be prohibited? The said question will be decided after hearing the members of the petitioners' Association at the list Annexure "A" within six months from the receipt of this Court.

3. Mr.B.C.Dave states that all the members of the petitioners' Association at the list annexure "A" will cooperate with the RTO authority for expeditiously deciding the matter in which notices are or will be issued.

4. In view of the above statement, the RTO authority shall issue fresh notices to 29 members of the petitioner-Association including the list at annexure "A". The police authorities and the RTO authority shall not seize the vehicles of the members of the petitioner Association named at annexure "A" or shall not seize RTO book relating to those vehicles till the RTO authority takes decision with regard to the condition of permit as stated above, provided the members have a valid permit showing Surat City in the area of operation. The members from whose permits the word "Surat City" is cancelled without hearing them, shall also be entitled to avail of the benefit of this order. The order, if any, which may be finally passed and adverse to the members of the petitioner Association mentioned in the list annexure "A" shall not be implemented for a period of three weeks from the date of despatch of the decision.

The petition is disposed of in terms of the aforesaid directions. Rule is made absolute to the aforesaid extent. There shall be no order as to costs.

17.10.2000 (M.S.SHAH,J)